

**IN THE UNITED STATES DISTRICT COURT FOR  
THE NORTHERN DISTRICT OF TEXAS AMARILLO DIVISION**

**UNITED STATES OF AMERICA**  
**Plaintiff,**

**v.**

**EDELIEL ESANULSANCHAZE**  
**RAINEY**  
**Defendant.**

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**NO. 2:24cr83**

<b>MOTION TO PROCEED IN FORMA PAUPERIS ON APPEAL PURSUANT TO FRAP 24(a)</b>
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COMES NOW Antoinette N. Harris, the Appellant and attorney sanctioned in the above-captioned matter, and respectfully moves this Honorable Court for leave to proceed in forma pauperis on appeal under Federal Rule of Appellate Procedure 24(a). In support, Appellant states:

Appellant is no longer being compensated for this matter, which now involves an indigent client, and has no financial means to pay the \$500 sanction or appeal costs. An affidavit in the form prescribed by Form 4 of the Appendix is attached.

Appellant seeks review of both (1) the Sanction Order dated April 1, 2025 (ECF No. 58) and (2) the Order Denying Reconsideration entered on April 3, 2025 (ECF No. 64), which impose and uphold a monetary sanction and require reporting to the State Bar, based on findings Appellant respectfully contends are not supported by the record or applicable law.

**I. Issues Intended for Appeal**

A. Whether the Court erred in characterizing objections as “frivolous” where they were expressly based on the Court’s own suppression order and relevant procedural limitations.

B. Whether a finding of “complete disregard” of pretrial deadlines is supported in light of timely communication, joint continuance efforts, and logistical complexities.

C. Whether the description of the Defendant as “missing in action” was clearly erroneous, given documented attorney-client communication and plea discussions.

D. Whether imposing sanctions without a hearing or oral argument deprived Appellant of procedural due process.

E. Whether the Court abused its discretion when it applied Local Criminal Rule 57.8 in a punitive fashion, without evidence of bad faith or prejudice, and without employing the least restrictive means.

F. Whether the Court abused its discretion by applying Local Criminal Rule 57.8 to sanction defense counsel for conduct substantially mirrored by the Government, without applying the same rule or consequences to the Government, thus creating an appearance of unequal treatment.

G. Whether the denial of reconsideration without addressing newly submitted evidence and without a hearing further denied Appellant a meaningful opportunity to be heard.

H. Whether the Court’s reliance on background commentary regarding counsel’s tone, litigation style, or advocacy resulted in disproportionate and unsupported sanctions and constitutes an abuse of discretion.

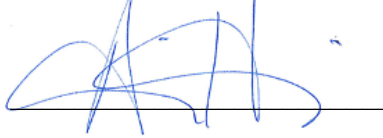
I. Whether the Court’s requirement that Appellant report the sanction to the State Bar, despite the absence of ethical or disciplinary violations, exceeds the proportional scope of Local Rule 57.8 and constitutes an abuse of discretion.

WHEREFORE, Appellant respectfully requests leave to proceed in forma pauperis and that the Court waive all filing fees and costs associated with this appeal.

**[SIGNATURE BLOCK ON NEXT PAGE]**

Respectfully submitted,

**The Law Office of Antoinette N. Harris, PLLC**



**Antoinette N. Harris**

Texas Bar No. 24126521

2911 Turtle Creek Blvd, Suite 300

Dallas, Texas 75219

Telephone: 1(833)326-4529

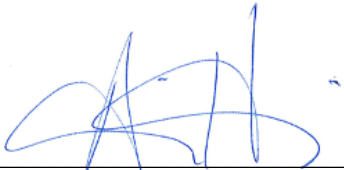
Facsimile: 1(833)326-4529

Email: antoinette@anhlaw.net

*Attorney for Ediel Esanulsanchaze Rainey*

**CERTIFICATE OF CONFERENCE**

Pursuant to Local Rule 47.1(b), I, Antoinette N. Harris, certify that on May 2, 2025, I conferred via email with AUSA Ana Bell regarding the Motion. The Government takes not position with regard to the filing of the aforementioned Motion.



**Antoinette N. Harris**

**CERTIFICATE OF SERVICE**

I hereby certify that on May 5, 2025, a true and correct copy of the foregoing Defendant's Objections to Government's Exhibit List was served via electronic mail and CM/ECF to:

**Jeff Haag**

Assistant United States Attorney  
West Texas Branch Chief  
Northern District of Texas, Amarillo Division  
500 South Taylor Street, Suite 300  
Amarillo, Texas 79101  
Email: [Jeffrey.Haag@usdoj.gov](mailto:Jeffrey.Haag@usdoj.gov)

**Anna Marie Bell**

Assistant United States Attorney  
Northern District of Texas, Amarillo Division  
500 South Taylor Street, Suite 300  
Amarillo, Texas 79101  
Email: [Anna.Bell@usdoj.gov](mailto:Anna.Bell@usdoj.gov)



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**Antoinette N. Harris**

AO 239 (Rev. 12/13) Application to Proceed in District Court Without Prepaying Fees or Costs (Long Form)

## UNITED STATES DISTRICT COURT

for the  
Northern District of Texas

Antoinette N. Harris

Plaintiff/Petitioner

v.

United States of America

Defendant/Respondent

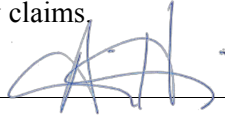
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Criminal Action No. 2:24cr83

**FORM 4 AFFIDAVIT ACCOMPANYING MOTION FOR PERMISSION TO APPEAL IN FORMA PAUPERIS****Affidavit in Support of the Application**

I am a plaintiff or petitioner in this case and declare that I am unable to pay the costs of these proceedings and that I am entitled to the relief requested. I declare under penalty of perjury that the information below is true and understand that a false statement may result in a dismissal of my claims.

Signed:


**Instructions**

Complete all questions in this application and then sign it. Do not leave any blanks: if the answer to a question is "0," "none," or "not applicable (N/A)," write that response. If you need more space to answer a question or to explain your answer, attach a separate sheet of paper identified with your name, your case's docket number, and the question number.

Date

May 2, 2025

1. For both you and your spouse estimate the average amount of money received from each of the following sources during the past 12 months. Adjust any amount that was received weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate. Use gross amounts, that is, amounts before any deductions for taxes or otherwise.

Income source	Average monthly income amount during the past 12 months		Income amount expected next month	
	You	Spouse	You	Spouse
Employment	\$ 0	\$	\$ 0	\$
Self-employment	\$ 4,500.00	\$	\$ 4,500.00	\$
Income from real property (such as rental income)	\$ 0	\$	\$ 0	\$
Interest and dividends	\$ 0	\$	\$ 0	\$
Gifts	\$ 0	\$	\$ 0	\$
Alimony	\$ 0	\$	\$ 0	\$
Child support	\$ 0	\$	\$ 0	\$

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Retirement (such as social security, pensions, annuities, insurance)	\$ 0	\$	\$ 0	\$
Disability (such as social security, insurance payments)	\$ 0	\$	\$ 0	\$
Unemployment payments	\$ 0	\$	\$ 0	\$
Public-assistance (such as welfare)	\$ 0	\$	\$ 0	\$
Other (specify):	\$ 0	\$	\$ 0	\$
<b>Total monthly income:</b>	\$	\$	\$	\$

2. List your employment history for the past two years, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of employment	Gross monthly pay
Antoinette N. Harris, PLLC	2911 Turtle Creek Blvd. Suite 300, Dallas,	November 2023 - Present	\$ 4,500.00
Roqueumore Skierski, PLLC	7322 Southwest Freeway Suite 1025 Houst	December 2022 - November 2023	\$ 1,200.00

3. List your spouse's employment history for the past two years, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of employment	Gross monthly pay
			\$
			\$
			\$

4. How much cash do you and your spouse have? \$ 10.00

Below, state any money you or your spouse have in bank accounts or in any other financial institution.

Financial institution	Type of account	Amount you have	Amount your spouse has
Capital One	Checking	\$ 1364.01	\$
Bank of Texas	Business Checking	\$ 20.59	\$
		\$	\$

If you are a prisoner, you must attach a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months in your institutional accounts. If you have multiple accounts, perhaps because you have been in multiple institutions, attach one certified statement of each account.

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5. List the assets, and their values, which you own or your spouse owns. Do not list clothing and ordinary household furnishings.

Assets owned by you or your spouse	
Home (Value)	\$ 0
Other real estate (Value)	\$ 0
Motor vehicle #1 (Value)	\$ 19,074.41
Make and year: 2020	
Model: Hyundai	
Registration #:	
Motor vehicle #2 (Value)	\$ 21,588.40
Make and year: 2017	
Model: Genesis	
Registration #:	
Other assets (Value)	\$ 0
Other assets (Value)	\$ 0

6. State every person, business, or organization owing you or your spouse money, and the amount owed.

Person owing you or your spouse money	Amount owed to you	Amount owed to your spouse
Client #1	\$ 2,000.00	\$
Client #2	\$ 2,000.00	\$
Client #3	\$ 2,500.00	\$

7. State the persons who rely on you or your spouse for support.

Name (or, if under 18, initials only)	Relationship	Age
Antoinette Nicole Harris	Self	32

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8. Estimate the average monthly expenses of you and your family. Show separately the amounts paid by your spouse. Adjust any payments that are made weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate.

	You	Your spouse
Rent or home-mortgage payment <i>(including lot rented for mobile home)</i> Are real estate taxes included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Is property insurance included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	\$ 2,000.00	\$
Utilities <i>(electricity, heating fuel, water, sewer, and telephone)</i>	\$ 212.50	\$
Home maintenance <i>(repairs and upkeep)</i>	\$ 150.00	\$
Food	\$ 275.00	\$
Clothing	\$ 0.00	\$
Laundry and dry-cleaning	\$ 50.00	\$
Medical and dental expenses	\$ 0.00	\$
Transportation <i>(not including motor vehicle payments)</i>	\$ 80.00	\$
Recreation, entertainment, newspapers, magazines, etc.	\$ 0.00	\$
Insurance <i>(not deducted from wages or included in mortgage payments)</i>		
Homeowner's or renter's:	\$	\$
Life:	\$	\$
Health: Blue Cross Blue Shield of Texas	\$ 98.57	\$
Motor vehicle:	\$	\$
Other:	\$	\$
Taxes <i>(not deducted from wages or included in mortgage payments) (specify):</i>	\$	\$
Installment payments		
Motor vehicle: Bridgecrest & Westlake	\$ 822.02	\$
Credit card <i>(name)</i> : Capitol One	\$ 115.00	\$
Department store <i>(name)</i> :	\$	\$
Other: Student Loans	\$ 2004.00	\$
Alimony, maintenance, and support paid to others	\$	\$



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Regular expenses for operation of business, profession, or farm <i>(attach detailed statement)</i>	\$ 759.00	\$
Other <i>(specify)</i> :	\$	\$
<b>Total monthly expenses:</b>	\$ 0	\$ 0

9. Do you expect any major changes to your monthly income or expenses or in your assets or liabilities during the next 12 months?

☐ Yes ☒ No If yes, describe on an attached sheet.

10. Have you spent — or will you be spending — any money for expenses or attorney fees in conjunction with this lawsuit? ☐ Yes ☒ No

If yes, how much? \$ \_\_\_\_\_

11. Provide any other information that will help explain why you cannot pay the costs of these proceedings.  
The current state of the U.S. and global economy.

12. Identify the city and state of your legal residence.  
Dallas, Texas

Your daytime phone number: 833-326-4529

Your age: 32 Your years of schooling: 23

Last four digits of your social-security number: 2162

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